



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

A G E N D A

JUNE 11, 2007

Commissioner Joe Ford, Chairman
Commissioner David Lillard, Chairman Pro Tempore
Commissioner Joyce Avery
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism

Commissioner George Flinn
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Deidre Malone
Commissioner Steve Mulroy
Commissioner Mike Ritz

8/27/2007 10:24 AM

2:30 P.M. COMMISSION CONVENES

CALL TO ORDER Deputy Chad Cunningham

**INVOCATION Reverend Martha Wagley
First United Methodist Church**

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session

**MALONE
ADOPTED May 21, 2007**

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

**CARPENTER
ADOPTED** 1. Resolution honoring Ms. Ashley Michelle Sanders and Mrs. Heather Kae Fox for uncommon valor and exemplary service to the citizens of Shelby County.

**BROOKS
ADOPTED** 1B. Resolution proclaiming June as Black Music Month in Shelby County, Tennessee.

Ordinances

**MALONE
(REMOVED TO
REGULAR AGENDA)
APPROVED**

2. **ORDINANCE – FIRST READING** - Ordinance fixing tax rate for Shelby County for the Year 2007.

**CHISM
APPROVED**

3. **ORDINANCE – FIRST READING** – Ordinance to amend the Shelby County Code of Existing Ordinances to add a new chapter entitled "County-wide Fire Department" relative to the creation of a countywide fire department and the designation of the powers and duties of said department to the Shelby County Administration's existing Fire Department for purposes of providing fire and ambulance services.

**BROOKS
APPROVED**

4. **ORDINANCE – SECOND READING** – An Ordinance to approve and set the salary of the Chairman of the Shelby County Commission for the 2007/2008 term.

**BROOKS
APPROVED**

5. **ORDINANCE – SECOND READING** – An Ordinance adopting a Code of Ethics.

Zoning and Subdivisions

**RITZ
ADOPTED**

6. Resolution to release the bond that secured the improvements to Sunset Lakes Subdivision, Section B (S 98-018 CC).

Reports and/or Resolutions for Standing Committees

**MALONE
ADOPTED**

7. Resolution amending the FY 2007 Operating budget; approving a grant agreement between Shelby County Government and the Tennessee Emergency Management Agency for the term August 29, 2005 to August 29, 2010.

**LILLARD
(DEFERRED
TO 06/25/07)**

8. Resolution amending the FY 2006/2007 Operating Budget for the Office of Preparedness (Department of Homeland Security) Weapons of Mass Destruction Grant, increasing authorized expenditure by \$132,804.00.

**LILLARD
ADOPTED**

9. Resolution authorizing the mayor to enter into a contract with Askew Hargraves Harcourt & Associates, Inc. to provide the county with design services in preparation of construction documents for the bridge replacement on Macon Road Bridge over Gray's Creek and appropriating funds in the amount of \$113,400.00 from the FY 2006/2007 Road Department Operating and Maintenance Budget.

**LILLARD
ADOPTED**

10. Resolution authorizing the mayor to enter into a contract with Barnes & Brower, Inc. for construction repairs for Mike Rose Soccer Complex Rain Water Intrusion and to appropriate funds in the amount of \$138,607.00 and an extra work allowance in the amount of \$13,860.00 from the FY2006/2007 budget for CIP Project No. 101109, Mike Rose Soccer Complex.

**LILLARD
ADOPTED**

11. Resolution to amend the resolution adopted by the Shelby County Board of Commissioners on August 14, 2006, Item No. 13, which amended the resolution authorizing the establishment of a governing board for the Regional Geographical Information System adopted by the Shelby County Board of Commissioners on June 21, 2004, Item No. 41.

**AVERY
ADOPTED**

12. Resolution to approve acceptance of an agreement from TKC Integration Services, LLC to Shelby County Government, on behalf of the Memphis and Shelby County Health Department in the amount of \$53,516.00 for the purpose of educating Shelby County residents on childhood lead poisoning prevention for the period July 1, 2006 – June 30, 2007, and establishing one new FY 2006/2007 Operating Budget.

**AVERY
ADOPTED**

13. Resolution to approve a Lease Agreement with the Regional Medical Center at Memphis in the amount of \$112,472.00 for the period July 1, 2005 – June 30, 2007, for office space at Adams Pavilion, Memphis, Tennessee for the Health Department's TennCare Dental Prevention Program.

**AVERY
ADOPTED**

14. Resolution to approve a contract between Shelby County Government and University Pathology Group, P.C., for the provision of professional laboratory staff support to the Memphis and Shelby County Health Department Central Laboratory in the amount of \$83,760.00 for the period July 1, 2007 – June 30, 2008.

**AVERY
ADOPTED**

15. Resolution approving an Inter-Agency Agreement between the Shelby County Government on behalf of the Memphis and Shelby County Health Department and the City of Memphis Division of Housing and Community Development in the amount of \$321,897.00 for the period July 1, 2006 – October 31, 2008, for a lead-based paint hazard reduction program and amending the FY 2006/2007 Operating Budget.

**AVERY
ADOPTED**

16. Resolution requesting approval to amend the Memphis and Shelby County Health Department FY 2006/2007 Operating Budget in the amount of \$73,530.00 and to amend the FY 2006/2007 Position Control Budget in the County School Nursing Grant Program.

AVERY
ADOPTED

17. Resolution to approve acceptance of an agreement from Naccho to the Shelby County Government, on behalf of the Memphis and Shelby County Health Department in the amount of \$10,000.00 for the purpose of building the capacity of local Medical Reserve Corps (MRC) Units for the period May 4, 2007 – July 31, 2007, and establishing one new FY 2006/2007 Operating Budget.

CHISM
ADOPTED

18. Resolution amending the FY 2006/2007 General Fund Budget of the District Attorney General's office to allow the modification of the General Fund Revenue, Personnel and Operations and Maintenance Budget.

CHISM
ADOPTED

19. Resolution authorizing the Sheriff's Office to accept and expend a grant from Workforce Investment Network to fund one-half of the salary cost of the recruit class of Deputy Sheriff's in the amount of \$236,324.00 and amending the FY 2006/2007 Operating Budget of the Sheriff's Office.

HARVEY
(DEFERRED
TO 06/25/07)

20. Resolution adopting a procedure to be utilized by the Shelby County Administration for initiating construction projects.

GIBSON
DROPPED

21. Resolution appropriating funds in the amount of \$30,000.00 for in-kind improvements to the Community Center of the New Chicago neighborhood.

CHISM
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

BROOKS
ADOPTED

22. Resolution approving the county mayor's nomination of Carol A. Farris for appointment to the Shelby County Retirement Board.

BROOK
ADOPTED

23. Resolution appointing Diane George to the new Shelby County Beer Board.

Ordinances

LILLARD
(DEFERRED
TO 07/23/07)

24. **ORDINANCE – THIRD READING** – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the **Joint Existing Building Code** of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 295 on June 6, 2005 and by the Council of the City of Memphis in

Ordinance No. 5124 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
(DEFERRED
TO 07/23/07)

25. ORDINANCE – THIRD READING – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the Joint Building Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 296 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5122 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
(DEFERRED
TO 07/23/07)

26. ORDINANCE – THIRD READING – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the Joint Electric Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 297 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5123 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
(DEFERRED
TO 07/23/07)

27. ORDINANCE – THIRD READING – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the Joint Fuel Gas Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 298 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5125 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
(DEFERRED
TO 07/23/07)

28. ORDINANCE – THIRD READING – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the Joint Mechanical Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 296 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5121 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
(DEFERRED
TO 07/23/07)

29. ORDINANCE – THIRD READING – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the Joint Plumbing Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 300 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5120 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

Zoning and Subdivisions

RITZ
ADOPTED

30.

CASE NO. S.U.P. 06-227 CC

APPLICANT: Patty McDaniels

LOCATION: 4985 Windsong Park Drive

REQUEST: Special Use Permit for outdoor recreation in association with wedding receptions and corporate retreats and a day care facility in terms of a summer day camp.

Memphis and Shelby County Office of Planning and Development recommendation:

REJECTION

Memphis and Shelby County Land Use Control Board recommendation:

APPROVAL WITH CONDITIONS

(No notice of public hearing or notice letters to interested property owners required since there was no opposition at the Land Use Control Board.)
- RITZ
ADOPTED
31.

CASE NO. SNC 07-801 CO

APPLICANT: Town of Collierville

LOCATION: Beginning ±688 feet east of Woodlawn Lane; extending to Byhalia Road

REQUEST: Street name change from Old East Shelby Drive to Shelby Post Road

Memphis and Shelby County Office of Planning and Development recommendation:

APPROVAL WITH CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:

APPROVAL WITH CONDITIONS

(No notice of public hearing or notice letters to interested property owners required since there was no opposition at the Land Use Control Board.)

Reports and/or Resolutions for Standing Committees

MALONE
(DEFERRED
TO 07/09/07)

32.

Resolution to approve changes to health and life insurance benefits provided to employees and retirees.

MALONE
ADOPTED

32B.

Resolution to provide for OPEB benefits and approve changes to health insurance benefits provided to employees and retirees.

MALONE
ADOPTED

33.

Resolution approving Shelby County Government’s Operating Budget for Fiscal Year 2008.

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**MALONE
ADOPTED**

34. Resolution approving the Shelby County Capital Improvement Program for Fiscal Year 2008 and the corresponding five year capital improvement program for Fiscal Years 2008-2012 and appropriating \$60,000,000.00 to the schools, transfer to the debt service fund and bond issuance and interest costs.

**MALONE
ADOPTED**

35. Resolution to provide for revenues collected in excess of amounts budgeted for schools to be designated for school capital commitments and to authorize transfers from the general fund to the extent the operating surplus for the year exceeds \$6,000,000.00 to provide for CIP Pay-As-You-Go and to amend the FY 2007 budgets.

**CHISM
ADOPTED**

36. Joint Resolution of the Board of County Commissioners and Memphis City Council establishing a joint committee to study the benefits of consolidation of the Memphis Police Department and Shelby County Sheriff's Department.

**CHISM
ADOPTED**

37. Resolution approving the expenditure of funds in the FY 2007/2008 Operating Budget in the amount of \$2,877,000.00 for emergency ambulance service; and approving the contract with Rural/Metro Mid-South LP.

**BROOKS
ADOPTED**

38. Resolution approving and adopting an amendment to Volume II, Shelby County Government Personnel Management System, to change a provision to the Sick Leave Policy thereby amending Resolution Number 45 adopted on July 30, 1979.

Announcements/Statements

39. Notification from the county mayor of various appointments/reappointments of boards, commissions, and offices of Shelby County Government.
- a) Resolution approving the county mayor's nomination of David C. Perdue, Jr. and Mark Yates for appointment to the Shelby County *Health, Education, and Housing Facility Board*.

Adjournment

**LILLARD
ADOPTED**

40. Resolution of Adjournment to Monday, June 25, 2007, at 2:30 p.m.